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Chair: Mr. Gunnarsson ..... (Iceland)

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The meeting was called to order at 10.10 a.m.

Agenda item 72: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/72/L.37, A/C.3/72/L.38, A/C.3/72/L.39/Rev.1, A/C.3/72/L.44/Rev.1, A/C.3/72/L.47, A/C.3/72/L.51/Rev.1, A/C.3/72/L.55)

Draft resolution A/C.3/72/L.37: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

1. **The Chair** said that the draft resolution had no programme budget implications.

2. **Mr. Moussa** (Egypt), introducing the draft resolution on behalf of all the States Members of the United Nations that were members of the Organization of Islamic Cooperation (OIC), said that there was deep concern over the continuous rise in the number of incidents of religious intolerance, discrimination and related violence, and of negative stereotyping on the basis of religion or belief. Following a global resurgence of xenophobia, intolerance, racism and discrimination, populist leaders and right-wing political movements were increasingly building their political and social platforms on fomenting hatred against and the social exclusion of particular religious, ethnic, national or other groups. That contravened fundamental rights and freedoms, as well as human dignity, and posed a real challenge to international peace and security, development and social stability. It should be recognized that democracy and the rule of law were incompatible with any form of discrimination or intolerance. The draft resolution before the Committee was a consensus text.

3. **Mr. Khane** (Secretary of the Committee) said that Australia, Belarus, Canada, Central African Republic, Cuba, Eritrea, Ghana, Japan, Thailand and Venezuela (Bolivarian Republic of) had joined the sponsors.

4. **Mr. Qassem Agha** (Syrian Arab Republic) said that as his country was not a member of the Organization of Islamic Cooperation, his delegation wished to sponsor the draft resolution in its national capacity.

5. *Draft resolution A/C.3/72/L.37 was adopted.*

6. **Ms. Naur** (Estonia), speaking on behalf of the European Union, said that the European Union was founded upon values such as non-discrimination, tolerance and respect for human rights, including freedom of expression and freedom of thought, conscience and religion or belief. The European Union remained committed to engaging in dialogue aimed at addressing departures from and misinterpretations of those values. The draft resolution before the Committee was a call to States to respond to acts of intolerance and discrimination while ensuring full respect for international human rights law.

7. The European Union strongly condemned intolerance, discrimination and violence based on religion or belief and any advocacy of religious hatred that might constitute incitement to discrimination, hostility or violence. It also attached great importance to freedom of opinion and expression, which was intrinsically linked to freedom of religion or belief and to other human rights and fundamental freedoms. The European Union wished to reiterate its strong conviction that freedom of expression was a powerful and essential tool for combating discrimination, hatred and violence based on religion or belief. Any restrictions on freedom of expression could undermine efforts to combat religious intolerance and should therefore be imposed with sensitivity and never as a pretext for the arbitrary limitation of fundamental rights. If truly necessary, such restrictions must be legally prescribed and proportionate, have a legitimate aim and cause minimal interference. In other words, any such restrictions must meet the requirements set out in article 19 of the International Covenant on Civil and Political Rights.

8. The European Union acknowledged the great value and crucial role of dialogue in countering manifestations of religious hatred and therefore welcomed the recognition of the open public debate of ideas and interreligious, interfaith and intercultural dialogue as among the best protections against religious intolerance. The European Union also concurred with the assertion that religious intolerance could generate hatred and violence among individuals from and within different nations and considered religious hatred to pose a threat to the human rights and fundamental freedoms of individuals at both the local and national levels. States and local authorities bore primary responsibility for countering religious intolerance as part of their broader responsibilities in promoting and protecting human rights. Cultural diversity and religious traditions must not be invoked to justify the infringement of human rights guaranteed under international law or the limitation of their scope. The fight against religious intolerance should remain a priority for all States. The European Union would continue its efforts to combat that phenomenon for as long as they were needed.

9. **Ms. Mozolina** (Russian Federation) said that her delegation was concerned by the growing number of manifestations of intolerance based on religion or belief, especially against persons belonging to religious minorities. The Russian Federation supported interreligious and intercultural dialogue and advocated the implementation of the draft resolution within the scope of each country's civilizational, cultural and religious situation.

Draft resolution A/C.3/72/L.38: Freedom of religion or belief

10. **The Chair** said that the draft resolution had no programme budget implications.

11. **Ms. Naur** (Estonia), introducing the draft resolution on behalf of the European Union, said that the promotion and protection of freedom of religion or belief as a fundamental human right and the elimination of discrimination on that basis were essential pillars of the European Union's human rights policy and the subject of specific European Union guidelines. Respect for diversity and mutual understanding were of utmost importance in creating an environment conducive to the full enjoyment of freedom of religion or belief by all. All States needed to step up their efforts to provide adequate constitutional and legal guarantees of freedom of thought, conscience and religion or belief, including by giving effect to recommendations related to freedom of religion or belief made during the universal periodic review process.

12. The draft resolution, which followed up on the United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, was the result of constructive cooperation among partners over a number of years. Minimal changes had been made to the text in an effort to encourage States to do more to implement the draft resolution. At the regional level, the European Union had issued a detailed guidance note on the implementation of the European Union Guidelines on the promotion and protection of freedom of religion or belief. The adoption of the draft resolution by consensus would send another strong message to the international community on the need to protect that fundamental human right.

13. **Mr. Khane** (Secretary of the Committee) said that Andorra, Angola, Armenia, Belarus, Bosnia and Herzegovina, Brazil, Cabo Verde, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Georgia, Guatemala, Guinea, Haiti, Iceland, Israel, Liberia, Madagascar, Montenegro, New Zealand, Nigeria, Panama, Papua New Guinea, Peru, Philippines, Republic of Korea, Republic of Moldova, San Marino, Sierra Leone, Switzerland, Thailand, former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine and Uruguay had joined the sponsors.

14. *Draft resolution A/C.3/72/L.38 was adopted*

Draft resolution A/C.3/72/L.39/Rev.1: The human rights to safe drinking water and sanitation

15. **The Chair** said that the draft resolution had no programme budget implications.

16. **Mr. Oyarzun Marchesi** (Spain), introducing the draft resolution on behalf of Germany and Spain, said that the text preserved the consensus reached previously on the need to promote and protect the right to safe drinking water and the right to sanitation. The updated version made reference to the 2030 Agenda for Sustainable Development and to the specific challenges impeding the full realization of those rights, such as climate change. It was a fortunate coincidence that the draft resolution would be adopted a few days ahead of World Toilet Day, which, together with World Water Day, was an important reminder of the progress made towards achieving the full realization of those rights and of the work that remained to be done in that connection. The fact that 12 per cent of the global population still had no access to drinking water and that 32 per cent still had no access to basic sanitation services underlined the need for the international community to step up its efforts in that area.

17. **Mr. Khane** (Secretary of the Committee) said that Angola, Afghanistan, Algeria, Bangladesh, Benin, Belize, Bosnia Herzegovina, Côte d'Ivoire, Ecuador, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea Bissau, Haiti, Lesotho, Libya, Madagascar, Maldives, Mali, Mauritius, Mexico, Mozambique, Nicaragua, Niger, Nigeria, Oman, Paraguay, Peru, Qatar, Republic of Korea, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Solomon Islands, South Sudan, Sweden, Tajikistan, Thailand, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and Vanuatu had joined the sponsors.

18. **Ms. Moldoisaeva** (Kyrgyzstan) said that her delegation for the most part supported the draft resolution but considered the final text to be unbalanced. Some of the proposals submitted by her delegation during negotiations had not been reflected in the final draft resolution, which meant that delegations that had not been present during informal consultations had not seen possible alternatives to the current text. She therefore presented two oral amendments and called for them to be considered separately by the Third Committee.

19. The first amendment was technical in nature. In the twenty-sixth preambular paragraph, the words "without any prejudice" were translated differently in the current draft resolution compared to the resolution submitted two years earlier (A/RES/70/169). The discrepancy between the translations might give rise to different interpretations in the two languages, which was unacceptable for a General Assembly resolution. She proposed replacing the words "as a means to promote the progressive realization of the human rights to safe drinking water and sanitation, without any prejudice to questions of international water law, including international watercourse law," with the words "with the understanding that it has no bearing on the questions of international water law, including international watercourse law".

20. Presenting her second amendment, she said that in paragraph 9, the words "have the primary responsibility to ensure" should be replaced with the words "will continue to promote" and the words "within their own territory" should be inserted before the words "by all appropriate means". The obligations of Member States to uphold human rights to safe drinking water and sanitation should be limited to their national context and not extended to the territory of other Member States. The amendment was in accordance with article 2 of the International Covenant on Civil and Political Rights and would by no means undermine the importance accorded to the human rights to safe drinking water and sanitation in the draft resolution.

21. **Mr. Oyarzun Marchesi** (Spain) said that it was disappointing that oral amendments had been proposed to the text, which already enjoyed the support of more than 100 Member States. The paragraphs in question contained agreed language and had been adopted by consensus as part of previous General Assembly resolutions. The sponsors had held several rounds of bilateral consultations with the delegation of Kyrgyzstan without a compromise solution having been found.

22. The proposed amendment to the twenty-sixth preambular paragraph entailed altering previously agreed language and deleting a substantial part of that paragraph, including the reference to the progressive realization of the right to safe drinking water and the right to sanitation. Notwithstanding the importance of transboundary water issues, all delegations bar one considered the language contained in the paragraph to be an adequate compromise solution and welcomed the reference to international watercourse law. Amending that paragraph without holding proper consultations would only give rise to further issues.

23. The proposed amendment to paragraph 9 had the effect of weakening the part of the text alluding to human rights obligations and constituted a substantial departure from language which been agreed several years previously and which mirrored article 2 of the International Covenant on Economic, Social and Cultural Rights. As Kyrgyzstan itself had ratified the Covenant and was subject to the obligations arising from article 2 of that instrument, the language of paragraph 9 could not be altered or its scope diminished. The broad consensus reached by Member States on the need to promote and protect the right to safe drinking water and the right to sanitation should not be jeopardized by the national interests of one delegation. The delegation of Kyrgyzstan should have raised its concerns in the appropriate forum through the appropriate mechanism instead of breaking the consensus on such an important issue.

24. The sponsors of the draft resolution could therefore not support the two amendments proposed by the delegation of Kyrgyzstan for reasons of substance and procedure. He requested a recorded vote on the proposed amendments to the twenty-sixth preambular paragraph and paragraph 9 of the text and urged all delegations to vote against them.

25. **Mr. Khane** (Secretary of the Committee) said that the representative of Kyrgyzstan could rest assured that whenever there was a discrepancy between the various language versions of a draft resolution, the Secretariat performed a concordance of all texts after adoption. As texts were usually tabled in English, all other language versions would be aligned with the English version of the text, although all versions of an adopted resolution were of equal legal value.

26. **The Chair** said that a recorded vote had been requested on the first oral amendment proposed by the representative of Kyrgyzstan, to the twenty-sixth preambular paragraph of draft resolution A/C.3/72/L.39/Rev.1.

27. **Mr. Mahidi** (Austria), speaking in explanation of vote before the voting, said that his delegation objected to the proposed amendment on both procedural and substantive grounds. The negotiations had been led in an exemplary manner, and all delegations must be flexible in order to achieve consensus. The facilitators had worked hard to find a compromise with respect to the twenty-sixth preambular paragraph that would be acceptable to all sides, and it was regrettable that those efforts had been called into question.

28. His delegation also objected to the substance of the proposed oral amendment. Transboundary water issues were important to many delegations, and felt that the

twenty-sixth preambular paragraph was an adequate solution, as it contained an important qualifier on international watercourse law. The proposed amendment would not improve the language, and the explanations offered had failed to clarify why the previously agreed language of the paragraph should be changed. For those reasons, Austria would vote against the oral amendment and urged other delegations to do the same.

29. *A recorded vote was taken on the oral amendment proposed by the representative of Kyrgyzstan to the twenty-sixth preambular paragraph of draft resolution A/C.3/72/L.39/Rev.1.*

In favour:

Algeria, Angola, Belarus, Bolivia (Plurinational State of), China, Democratic People's Republic of Korea, India, Indonesia, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Morocco, Myanmar, Russian Federation, Syrian Arab Republic, Viet Nam, Yemen.

Against:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Bahamas, Bangladesh, Belgium, Belize, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Cabo Verde, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Latvia, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea , Republic of Moldova, Romania, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Zambia, Zimbabwe.

Abstaining:

Argentina, Bahrain, Barbados, Bhutan, Botswana, Brazil, Burundi, Cambodia, Cuba, Djibouti, Ethiopia, Ghana, Iran (Islamic Republic of), Jamaica, Jordan, Kuwait, Malawi, Malaysia, Nepal, New Zealand, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Timor-Leste, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of).

30. *The oral amendment was rejected by 106 votes to 17, with 33 abstentions.*

31. **The Chair** said that a recorded vote had been requested on the second oral amendment proposed by the representative of Kyrgyzstan, to paragraph 9 of draft resolution A/C.3/72/L.39/Rev.1.

32. **Ms. Quiel Murcia** (Panama), speaking in explanation of vote before the vote, said it was alarming to think that almost 750 million people did not have access to a vital resource such as water, which was under threat from both human activity and climate change. The right to water was essential for the full enjoyment of life and all human rights. It was crucial that Member States should increase access to that resource, address mismanagement of water sources and improve hygiene and sanitation. The language contained in paragraph 9 had been taken from the draft resolution adopted by consensus in 2015. The draft resolution before the Committee was the result of arduous negotiations and reflected the delicate balance struck between the positions taken by different delegations. The fact that the paragraph was based on article 2 of the International Covenant on Economic, Social and Cultural Rights should not be overlooked. Panama was in favour of maintaining paragraph 9 in its current form and would vote against the amendment proposed by the delegation of Kyrgyzstan.

33. *A recorded vote was taken on the second oral amendment proposed by the representative of Kyrgyzstan to paragraph 9 of draft resolution A/C.3/72/L.39/Rev.1.*

In favour:

Algeria, Angola, Belarus, Bolivia (Plurinational State of), China, Democratic People's Republic of Korea, Djibouti, India, Indonesia, Iran (Islamic Republic of), Kenya, Kyrgyzstan, Lao People's Democratic Republic, Morocco, Myanmar, Russian Federation, Syrian Arab Republic, Viet Nam, Yemen.

Against:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Bahamas, Bangladesh, Belgium, Belize, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Canada, Central African Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark,

Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Tuvalu, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Zambia, Zimbabwe.

Abstaining:

Argentina, Bahrain, Barbados, Bhutan, Botswana, Brazil, Burundi, Cambodia, Cuba, Eritrea, Ethiopia, Jamaica, Kuwait, Malawi, Malaysia, Nepal, New Zealand, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Timor-Leste, Turkey, United Arab Emirates, Venezuela (Bolivarian Republic of).

34. *The oral amendment resolution was rejected by 105 votes to 19, with 31 abstentions.*

35. **The Chair** said that a recorded vote had been requested on draft resolution A/C.3/72/L.39/Rev.1.

36. **Mr. Oyarzun Marchesi** (Spain) said that the draft resolution had traditionally been adopted by consensus, with backing from all regions, and the strong support from 109 delegations for the text was a clear sign of its importance. The sponsors had tried to build a strong consensus over the course of several years. Water and sanitation were important to all delegations, and that understanding should not be questioned due to the national interests of a certain State on one particular issue. Spain therefore urged all delegations to vote in favour of the resolution.

37. **Ms. Moldoisaeva** (Kyrgyzstan) said that the results of the vote had shown the broad variety of opinions on the subject. In future, the draft resolution would achieve consensus only if it addressed her delegation's concerns that the human rights to safe drinking water and sanitation should not entail obligations beyond a country's borders.

38. **Ms. Matlhako** (South Africa), speaking in explanation of vote before the voting, said that her delegation appreciated that the draft resolution maintained a human rights perspective in addressing the issues of water and sanitation, and it believed that those rights were interrelated and interdependent, as adequate sanitation was not possible without clean and safe water sources. South Africa was, however, concerned that the draft resolution delinked those rights from the right to development, an approach that could only be counterproductive. The Beijing Declaration and Platform for Action recognized development as an inalienable right and the commemoration of the thirtieth anniversary of right to development in 2016 had been a clear reaffirmation of that fact. The lack of reference to the justiciability of economic, social and cultural rights was a fundamental weakness. The fourth preambular paragraph could have benefited from language to the effect that the resolution sought to build on the Millennium Development Goals. South Africa would also have appreciated balanced language with respect to the means of implementation. Finally, the progressive language that had been expressed during the informal consultations had not been incorporated into the final draft. South Africa would therefore abstain from the vote on the draft resolution.

39. *A recorded vote was taken on draft resolution A/C.3/72/SR.39/Rev.1.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia,

Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Kyrgyzstan.

Abstaining:

New Zealand, South Africa, Turkey.

40. *Draft resolution A/C.3/72/L.39/Rev.1 was adopted by 173 votes to 1, with 3 abstentions.*

41. **Mr. González Serafini** (Argentina) said that Argentina supported the progressive development of international human rights law, bearing in mind that the core international human rights treaties had become a fundamental pillar of the country's legal system, having acquired constitutional rank following the reform of its Constitution in 1994. The importance of having access to drinking water and basic sanitation services as a means of safeguarding health and the environment was recognized by various international treaties to which Argentina was a party. Argentina understood that one of the primary responsibilities of States was to guarantee the right to water as a precondition for guaranteeing the right to life and an adequate standard of living. In the past, Argentina had joined the consensus on the draft resolution in question, in keeping with its position of principle of adopting resolutions in that manner. It was for that reason that Argentina had voted in favour of the draft resolution, despite maintaining that States were only obliged to guarantee the right to water and the right to sanitation of those individuals under their jurisdiction and not in respect of other States. Argentina also wished to reaffirm its commitment to General Assembly resolution 1803 (XVII) on permanent sovereignty over natural resources.

42. **Ms. Simpson** (United States of America) said that the United States had voted in favour of the draft resolution on the understanding that it did not imply that States must implement obligations under human rights instruments to which they were not a party. The United States was not a party to the International Covenant on Economic, Social and Cultural Rights and the rights contained therein were not justiciable in United States courts. Water resource management was a technical function distinct from international human rights law, and thus the twenty-first preambular paragraph should not be understood as creating any international legal obligations.

43. The United States disagreed that safe drinking water was inextricably linked to the right to life and did not believe that the legal duty of a State to protect the right to life entailed that it must address general conditions that could threaten life or affect standard of living. While the United States agreed that safe water and sanitation were critically important, it did not accept all of the analyses and conclusions of the reports of the Special Rapporteur mentioned in the draft resolution.

44. The United States wished to point out that although climate models projected possible future changes in the patterns of natural disasters, the scientific community did not agree on whether there was an observable trend in certain types of sudden-onset natural disasters. Lastly, the United States dissociated itself from paragraph 2 of the resolution, as the definition of the right to water and sanitation was based on the views of the Committee on Economic, Social, and Cultural Rights and the Special Rapporteur only and such language did not appear in an international agreement or reflect any international consensus.

45. **Mr. Mori** (Japan) said that his delegation had voted in favour of the draft resolution as it placed a high priority on issues of water and sanitation. However, the vote did not prejudge the position of Japan, which was one of caution in considering safe drinking water and sanitation to be an inalienable right.

Draft resolution A/C.3/72/L.44/Rev.1: Protection of human rights and fundamental freedoms while countering terrorism

46. **The Chair** said that the draft resolution had no programme budget implications.

47. **Mr. Sandoval Mendiolea** (Mexico), introducing the draft resolution, said that draft resolutions should be

living documents that were relevant and up-to-date, reflected the challenges and reality on the ground and served as a tool for and guided the efforts of Member States. The draft resolution had been expanded to include references to respecting, protecting and fulfilling the human rights of members of minority groups, who often suffered discrimination; stronger language on the participation of civil society in government efforts to protect human rights in the fight against terrorism had been included; and the recruitment and use of children in acts of terror and in measures taken to counter terrorism had been condemned. He urged all States to protect children in accordance with international human rights law and international humanitarian law in the face of that scourge.

48. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Armenia, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Estonia, France, Germany, Greece, Haiti, Honduras, Hungary, India, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Morocco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, the United States of America and Uruguay had become sponsors of the draft resolution.

49. *Draft resolution A/C.3/72/L.44/Rev.1 was adopted.*

50. **Ms. Simpson** (United States of America) said that the United States did not recognize an obligation under human rights law to prevent terrorism or protect individuals from terrorist attacks, but urged all States to comply with their international legal obligations while countering terrorism. It also believed that the new report called for in the draft resolution was not an appropriate use of scarce resources.

51. **Ms. Mozolina** (Russian Federation) said that terrorism could not be justified on any grounds, including within the context of efforts to protect human rights. Similarly, incitement to commit terrorism should not be permitted as a manifestation of freedom of speech since it endangered the public.

52. Counter-terrorism efforts must strike the right balance between the protection of human rights and of the interests of society. In particular, United Nations bodies should devote sufficient resources to the impact of terrorist activities on the observance of human rights. In addition, cooperation in counter-terrorism efforts should be exclusively with legitimate Governments, whereas States that openly or covertly supported terrorists should bear responsibility for the human rights consequences of terrorist acts.

53. In paragraph 7 of the draft resolution, her delegation interpreted humanitarian actors as bodies which provided humanitarian assistance to civilians but had no ties with terrorists.

Draft resolution A/C.3/72/L.47: International Convention for the Protection of All Persons from Enforced Disappearance

54. **The Ch[illegible]r** said that the draft resolution had no programme budget implications.

55. **Ms. Charrier** (France), introducing the draft resolution on behalf of Argentina, France and Morocco, said that the text recognized the importance of the International Convention for the Protection of All Persons from Enforced Disappearance and the role of the Committee on Enforced Disappearances in preventing and combating that phenomenon. The Convention was intended to assist victims of enforced disappearance and the members of their families all around the world, regardless of region or origin. If its effectiveness was to be increased, more progress needed to be achieved in promoting its universalization and in encouraging States parties to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications, in complementarity with the Working Group on Enforced or Involuntary Disappearances.

56. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Antigua and Barbuda, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Burkina Faso, Canada, the Central African Republic, Côte d'Ivoire, Croatia, Cuba, Czechia, Denmark, Ecuador, Estonia, Ghana, Greece , Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, India, Ireland, Italy, Kazakhstan, Latvia, Lebanon, Madagascar, Mali, Malta, Mexico, Mongolia, Montenegro, the Netherlands, Niger, Norway, Palau, Paraguay, Peru, Portugal, the Republic of Moldova, Romania, Samoa, Senegal, Serbia, Slovakia, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu and Venezuela (Bolivarian Republic of) had joined the sponsors of the draft resolution.

57. *Draft resolution A/C.3/72/L.47 was adopted.*

58. **Mr. Mori** (Japan) said that enforced disappearance was a serious crime and a grave violation of human dignity and integrity, and must be addressed urgently by the international community. In that context, his Government demanded that the Government of the Democratic People's Republic of Korea must

immediately return the Japanese citizens that had been abducted from his country.

59. It was important to raise awareness on the current situation of enforced disappearances, and to ensure the universal and earliest possible ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. In that respect, his delegation expected that the draft resolution would support efforts by the Office of the United Nations High Commissioner for Human Rights and treaty bodies to promote universal ratification of the Convention.

Draft resolution A/C.3/72/L.51/Rev.1: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

60. **The Chair** said that the draft resolution had no programme budget implications.

61. **Ms. Konzett-Stoffl** (Austria) said that 25 years after the adoption by consensus of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the draft resolution remained highly relevant, as it set out essential standards for upholding the rights of persons belonging to minorities, and continued to be a key reference for work on that issue by the United Nations. It also provided guidance to States as they sought to manage diversity in their societies and to ensure non-discrimination.

62. **Mr. Khane** (Secretary of the Committee) said that Armenia, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Canada, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Denmark, the Dominican Republic, Ecuador, Eritrea, Greece, Haiti, Honduras, Iceland, Ireland, Latvia, Lebanon, Liberia, Lithuania, Malta, Montenegro, the Netherlands, Norway, Panama, Paraguay, Peru, the Republic of Korea, the Russian Federation, San Marino, Senegal, Serbia, Slovakia, South Africa, Sweden, Ukraine, the United Republic of Tanzania and Uruguay had joined the sponsors of the draft resolution.

63. *Draft resolution A/C.3/72/L.51/Rev.1 was adopted.*

Draft resolution A/C.3/72/L.55: Subregional Centre for Human Rights and Democracy in Central Africa

64. **The Chair** said that the draft resolution had no programme budget implications.

65. **Ms. Mballa Eyenga** (Cameroon), introducing the draft resolution on behalf of the members of the Economic Community of Central African States (ECCAS), said that the draft resolution was based on General Assembly resolution 70/167, with some technical amendments to the third and seventh preambular paragraphs and paragraphs 4 and 10, to bring it up to date.

66. In addition, a new paragraph had been introduced, paragraph 5, welcoming the Centre's activities in the area of human rights in development and in the economic sphere, through advocacy and providing guidance to States, but also private sector companies and businesses in the subregion with a view to promoting and protecting all human rights, including economic, social and cultural rights.

67. The Centre had begun to play a pivotal role in the subregion, where it was being increasingly called upon by Member States and various stakeholders and partners to undertake activities in the area of the promotion and protection of human rights. The subregion also faced additional challenges, including the fight against terrorism, which had led ECCAS to call upon traditional partners, Member States, and the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide financial support to the Centre. In addition, States in the subregion hoped that the changes envisaged by the OHCHR would not adversely impact the Centre nor call into question its existence. It was hoped that the Centre could remain in the subregion and that its management could be in line with that of other subregional centres.

68. **Mr. Khane** (Secretary of the Committee) said that Algeria, Australia, Austria, Belgium, Bulgaria, Burkina Faso, Cabo Verde, Canada, the Comoros, Costa Rica, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Estonia, Ethiopia, the Gambia, Ghana, Guinea, Guinea-Bissau, Haiti, Hungary, Ireland, Italy, Japan, Kenya, Luxembourg, Mali, Morocco, Namibia, Niger, Nigeria, Romania, Slovenia, Sudan, Tunisia, Uganda and the United States of America had joined the list of sponsors.

69. *Draft resolution A/C.3/72/L.55 was adopted.*

Statements in exercise of the right of reply

70. **Mr. Ri** Song Chol (Democratic People's Republic of Korea), responding to a statement made by the representative of Japan with regard to draft resolution A/C.3/72/L.47 on enforced disappearance, said that his delegation strongly condemned the surprise provocation by the delegation of Japan, and the Japanese Government's continued politicized allegation against his country, an allegation that only served its own interest. In fact, the Democratic People's Republic of Korea had adequately fulfilled its commitments towards resolving the abduction issue in the context of the joint 2002 Pyongyang Declaration, and in the context of the

agreement reached during talks between the two countries in Stockholm in May 2014.

71. As all were well aware, the Government of Japan had been the world's worst violator of human rights and a criminal State which had inflicted great suffering on the Korean people and others in Asia and in the rest of the world. The Government of Japan must once and for all admit to and apologize and compensate for its heinous past crimes against humanity, including the sexual slavery of 200,000 Korean women by the Japanese imperial army, especially in the light of the fact that it had yet to do so even more than seventy years after the Second World War.

72. **Mr. Mizuno** (Japan) said that the claim that the abduction issue had been resolved was contrary to fact. He urged the Government of the Democratic People's Republic of Korea to uphold its commitment towards carrying out comprehensive investigations concerning all Japanese persons, including abductees, in accordance with the May 2014 Stockholm Agreement.

73. Japan had long been making positive contributions to international peace and security, namely through serving as a non-permanent member of the Security Council a number of times over the years since joining the United Nations.

74. **Mr. Ri** Song Chol (Democratic People's Republic of Korea) said that his country had done more than enough to resolve the abduction issue in accordance with the Stockholm Agreement. If Japan repeatedly referred to the abduction issue, it was only to serve its own political interests and to leverage greater power in its domestic politics. Its claim of contributing to peace and security was meaningless as long as it failed to recognize or officially compensate victims of its past crimes.

75. **Mr. Mizuno** (Japan) reiterated that the statement by the representative of the Democratic People's Republic of Korea was not based on fact.

Agenda item 108: International drug control (*continued*) (A/C.3/72/L.8/Rev.1)

Draft resolution A/C.3/72/L.8/Rev.1: International cooperation to address and counter the world drug problem

76. **The Chair** said that the draft resolution contained no programme budget implications.

77. **Mr. Sandoval Mendiolea** (Mexico) said that the General Assembly was the most appropriate framework for giving priority to a broad approach to the drug problem, based on the seven thematic areas of the outcome document of the thirtieth special session of the Assembly. It was also the best forum for addressing commitments towards system-wide coordination within the United Nations.

78. **Mr. Khane** (Secretary of the Committee) said that Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Belize, Benin, Brazil, Burkina Faso, Cabo Verde, Cameroon, Colombia, Côte d'Ivoire, Croatia, Cyprus, the Dominican Republic, Ecuador, Estonia, France, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Luxembourg, Monaco, Montenegro, Niger, Nigeria, Norway, Panama, Paraguay, the Philippines, Portugal, Qatar, the Republic of Korea, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay had joined the sponsors.

79. *Draft resolution A/C.3/72/L.8/Rev.1 was adopted.*

80. **The Chair** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Secretary-General on international cooperation against the world drug problem (A/72/225).

81. *It was so decided.*

Agenda item 27: Social development (*continued*) (A/C.3/72/L.10/Rev.1)

Draft resolution A/C.3/72/L.10/Rev.1: Persons with albinism

82. **The Chair** said that the draft resolution had no programme budget implications.

83. **Mr. Mhura** (Malawi), speaking on behalf of the sponsors, drew attention to a few key aspects of the draft resolution, including the Regional Action Plan on Albinism in Africa, which sought to address attacks and discrimination against persons with albinism. He also recalled, inter alia, that the draft resolution encouraged Member States to end impunity for violence against persons with albinism, including sexual and gender-based violence, by amending laws, were applicable, and by bringing perpetrators to justice.

84. **Mr. Khane** (Secretary of the Committee) said that Afghanistan, Angola, Austria, Belize, Bolivia (Plurinational State of), Burkina Faso, Burundi, Cabo Verde, Cuba, the Dominican Republic, France, the Gambia, Guinea-Bissau, Haiti, India, Indonesia, Israel, Italy, Lebanon, Lesotho, Madagascar, Namibia, Nigeria,

the Republic of Korea, Senegal, Sudan, Tunisia, Turkey, Uganda, the United Arab Emirates and the United Kingdom of Great Britain and Northern Ireland had joined the sponsors.

85. *Draft resolution A/C.3/72/L.10/Rev.1 was adopted.*

86. **Ms. Simpson** (United States of America) said that the United States had joined the consensus on the draft resolution on the understanding that that did not imply that States must become parties to instruments to which they were not parties, nor implementation of obligations under those instruments. In addition, references in the draft resolution to the obligations of States were interpreted in the light of article 2, paragraph 1 of the International Covenant on Economic, Social and Cultural Rights. It was believed that international instruments, including the Convention on the Rights of Persons with Disabilities, were relevant in addressing issues of stigma and violence, including against persons with albinism and all persons with disabilities.

87. Future discussions on how to address the various social and developmental challenges faced by persons with albinism could be greatly informed by examining the root causes of discrimination against persons with disabilities. States should take effective measures to respect and protect the human rights and fundamental freedoms of all persons, including persons with albinism.

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/72/L.14/Rev.1 and A/C.3/72/L.15/Rev.1)

Draft resolution A/C.3/72/L.14/Rev.1: Follow-up to the twentieth anniversary of the International Year of the Family and beyond

88. **The Chair** said that the draft resolution had no programme budget implications.

89. **Mr. García Paz y Miño** (Ecuador), speaking on behalf of the Group of 77 and China, said that the objectives under the International Year of the Family and its follow-up processes remained relevant, and the draft resolution encouraged Governments to continue to make every possible effort to realize those objectives. He presented an oral revision to the text: in paragraph 6, the words "to consider providing" should be replaced with "to provide".

90. **Mr. Khane** (Secretary of the Committee) said that Azerbaijan and Turkey had joined the sponsors of the draft resolution.

91. **Mr. Sandoval Mendiolea** (Mexico) said that his delegation had joined consensus on the draft resolution but would have liked it to reflect the variety of family structures that existed as a consequence of factors such as demographic change and migration.

92. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that families made a valuable contribution to strengthening society and that policies should be developed to support them in that role. Moreover, States had numerous international legal obligations to protect and promote the human rights of individual family members. All family-centred policies must, however, be inclusive. Throughout the world, families were changing in response to economic and social developments. The family was a living, dynamic entity, and policy discussions should reflect the fact that in different cultural, social and political systems various forms of the family existed. In that connection, the European Union understood all references to the term "family" in the draft resolution as reflecting that inclusivity.

93. The European Union regretted that the concept of family continued to be a divisive issue in deliberations at the United Nations. That should not be the case, as all delegations recognized the value of families and their contribution to society and human development. The European Union would continue to engage constructively with partners in order to reach a consensus on the issue.

94. *Draft resolution A/C.3/72/L.14/Rev.1, as orally revised, was adopted.*

Draft resolution A/C.3/72/L.15/Rev.1: Policies and programmes involving youth

95. **The Chair** said that the draft resolution contained no programme budget implications.

96. **Ms. Coroa** (Portugal), introducing the draft resolution, said that youth issues were cross-cutting and affected all Member States. The draft resolution therefore did not focus on a particular region, but provided a useful basis for action and policies for youth development at the national, regional and international levels. It highlighted the connection between the World Programme of Action for Youth and the 2030 Agenda for Sustainable Development, which together represented an opportunity to tackle the challenges affecting youth development. The draft resolution also acknowledged the positive contributions of the youth representatives to the General Assembly.

97. **Mr. Khane** (Secretary of the Committee) said that Algeria, Andorra, Angola, Antigua and Barbuda,

Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, El Salvador, Eritrea, Estonia, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Hungary, India, Ireland, Italy, Japan, Jordan, Latvia, Lebanon, Lesotho, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mexico, Monaco, Montenegro, Morocco, Mozambique, Namibia, Norway, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Romania, Russian Federation, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela (Bolivarian Republic of) and Zimbabwe had joined the sponsors of the draft resolution.

98. **Ms. Non** (Saint Lucia), introducing an oral amendment, said that in paragraph 10, the words "with appropriate direction and guidance from parents and legal guardians," should be inserted after the words "consistent with their evolving capacities,". In its current form, the draft resolution implied that parents were no more important than young persons, caregivers, educators and health care providers. Given that the United Nations defined adolescents as children as young as 10 years of age, the draft resolution should therefore be harmonized with the Convention on the Rights of the Child, by placing greater emphasis on parents' strong guiding role in the upbringing of their children.

99. **Mr. Barro** (Senegal), speaking also on behalf of the other sponsors of the draft resolution, said that informal consultations had been open, transparent and inclusive and that the resulting text was the common denominator of markedly different views on a subject of vital importance to many delegations. Had the delegation of Saint Lucia presented its amendments during the informal consultations, his delegation would have engaged with it with the same openness which it had shown throughout the negotiation process.

100. It was essential not to lose sight of the overall political horizons of the draft resolution. Nothing in paragraph 10 should be controversial since the language was based on consensus language agreed at the highest level and endorsed in numerous General Assembly resolutions. It gave Member States considerable leeway to decide on policies based on specific age brackets, national situations and cultural contexts, and allowed parents to decide on the extent of their involvement with children. The paragraph was also consistent with the wording of paragraph 35 (b) of the 1994 Programme of Action of the International Conference on Population and Development. Moreover, if paragraph 10 on information on sexual and reproductive health was to be amended, it would be controversial not to reflect similar changes to paragraph 9 on quality health education and literacy. He called for a vote on the proposed amendment.

101. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that the candidate countries Montenegro and Albania and the country of the stabilization and association process and potential candidate Bosnia and Herzegovina aligned themselves with his statement. It was regrettable that an oral amendment had been proposed to a paragraph that had already been discussed at length during open and constructive informal consultations. The wording of the paragraph in question reflected a good amalgamation of the substantive language of relevant documents adopted at the General Assembly and a compromise of the various views on youth issues. Although the final text omitted a number of elements that his delegation would have liked to see included, it had joined consensus in the spirit of compromise. European Union member States would vote against the proposed amendment.

102. **Mr. Bryan** (Canada), speaking also on behalf of Australia, Iceland, Liechtenstein, New Zealand, Norway and Switzerland, said that it was disappointing that an amendment had been tabled which would weaken the carefully developed language on gender equality that had been agreed upon in several other resolutions over the previous two years. Changing the current wording, which already recognized the importance of parents and guardians, risked upsetting the carefully balanced compromise. His delegation would vote against the proposed amendment.

103. *At the request of the delegation of Senegal, a recorded vote was taken on the oral amendment proposed by the representative of Saint Lucia.*

In favour:

Afghanistan, Bahrain, Barbados, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cameroon, China, Comoros, Congo, Democratic Republic of the Congo, Djibouti, Egypt, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libya, Mauritania, Myanmar, Nauru, Nicaragua, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Somalia, Sudan, Syrian Arab Republic, United Arab

Emirates, United States of America, Yemen, Zimbabwe.

Against:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Mexico, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, South Africa, South Sudan, Spain, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Zambia.

Abstaining:

Algeria, Bangladesh, Bhutan, Ethiopia, Jordan, Kazakhstan, Kenya, Malawi, Maldives, Mauritius, Morocco, Nepal, Solomon Islands, Sri Lanka, Swaziland, Timor-Leste, Tuvalu, Uganda, United Republic of Tanzania, Viet Nam.

104. *The oral amendment was rejected by 99 votes to 45, with 20 abstentions.*

105. *Draft resolution A/C.3/72/L.15/Rev.1 was adopted.*

106. **Ms. Lewis** (Saint Lucia), speaking in explanation of vote, said that according to article 5 of the Convention on the Rights of the Child, States parties should respect the responsibilities, rights and duties of parents, or, where applicable, the members of the extended family or community, to provide guidance in the exercise by the child of the rights set out in the Convention. The formulation in paragraph 10 of the draft resolution had removed that very important caveat and relegated the integral role of parents and legal guardians to a partnership with legal caregivers, educators and health care providers. Parents and the family played an important role in guiding children and adolescents, defined by the United Nations Population Fund as persons over the age of 10. Saint Lucia therefore dissociated itself from paragraph 10.

107. **Ms. Ahmed** (Sudan) said that her delegation dissociated itself from paragraphs of the draft resolution that contained concepts that did not enjoy consensus, such as reproductive health.

108. **Ms. Simpson** (United States of America) said that the United States dissociated itself from paragraph 8 of the draft resolution as potentially promoting technology transfer that was not mutually agreed and voluntary. The United States was also disappointed by the reference to foreign occupation, which unnecessarily politicized the resolution, and reaffirmed its deep commitment to a comprehensive resolution to the Israeli-Palestinian conflict. The United States was disappointed that the draft resolution did not address the importance of youth policies and programmes related to the role of youth as partners in countering violent extremism.

109. The United States interpreted the references to obligations as applicable only to the extent that States had assumed such obligations. The United States was neither a party to the International Covenant on Economic, Social, and Cultural Rights nor to its Optional Protocol, and the rights contained therein were not justiciable in United States courts. Moreover, the United States disagreed with the draft resolution to the extent that it called on States to develop or strengthen specific curricula, educational programs, training or services, as educational matters in the United States were primarily determined at the state and local levels. The United States was disappointed that the draft resolution attributed labour market crises to climate change, which oversimplified the causal factors leading to such crises. While climate change could theoretically increase vulnerabilities, such impacts were not currently observable.

110. **Mr. Herrmann** (Observer for the Holy See) said that while his delegation welcomed the purpose and general intentions of the draft resolution, it lamented the lack of consensus around the promotion and protection of the human rights and development needs of youth migrants. Furthermore, it should be noted that the paragraph in question, paragraph 10, came from agreed language in a particular context in a specific declaration on a particular issue. That language had been taken out of context and placed in the draft resolution without the proper amendments or a sovereignty clause. For that reason, the Holy See wished to state some reservations on the concepts used in the draft resolution. It considered "sexual and reproductive health, health care and healthcare services" to apply to a holistic concept of health, and did not include abortion, or access to either

abortion or abortifacients. Regarding the term "comprehensive education" with respect to sexual and reproductive health, the Holy See reiterated the primary responsibility and prior rights of parents, including the right to religious freedom, in the education and upbringing of their children as enshrined in international instruments.

111. **Mr. Yesod** (Israel) said that his Government invested in its youth, and in particular had developed an extensive youth delegate programme at the Israeli mission to the United Nations. Although Israel supported most of the important youth issues discussed in the draft resolution, the text contained irrelevant and politicized language. Israel urged the facilitators and other delegations that sought to promote youth involvement to reflect on that point, and hoped that such harmful, politicized language would be omitted when the draft resolution was considered in the future.

112. **Mr. Alkadi** (Saudi Arabia), speaking on behalf of Egypt, Yemen, Iraq and Libya, said that youth made up more than half of the Saudi population, and were therefore taken into account in the creation of sustainable development policies and strategies. Given the crucial importance of youth, Saudi Arabia joined consensus on the draft resolution, but dissociated itself from paragraph 10, as it lacked reference to proper guidance from parents with respect to their children's education as set out in article 5 of the Convention on the Rights of the Child. Paragraph 10 should not have omitted that provision, given that it addressed adolescent boys and girls, a large number of whom were classified as children. Saudi Arabia would implement the paragraph in manner consistent with its national laws and its international obligations, primarily the Convention on the Rights of the Child.

113. **Mr. El Hacen** (Mauritania) said that his delegation had voted for the amendment to the draft resolution that had been proposed by Saint Lucia because the role of parents in guiding and educating their children was indisputable and could not be at the same level as other actors. Therefore, the language used in the draft resolution in paragraph 10 was inappropriate, and Mauritania dissociated itself from it and other concepts in the draft resolution that conflicted with the country's national laws.

The meeting rose at 1.05 p.m.